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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/819,628	03/29/2001	Kenjiro Morimoto	K6510.0056/P056	4427

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EXAMINER

VAUGHN JR, WILLIAM C

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 10/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/819,628

Applicant(s)

MORIMOTO, KENJIRO

Examiner

William C. Vaughn, Jr.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 3,8-11,15 and 25-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 3,8-11,15 and 25-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Action is in regards to the Amendment and Response received on 15 August 2005.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 02 September 2005 has been entered.

3. The application has been examined. Claims 3, 8-11, 15 and 25-28 are pending. The objections and rejections cited are as stated below:

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3, 8-11, 15 and 25-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kume, U.S. Patent No. 6,203,433 in view of Collins, U.S. Patent No. 5,963,951.

6. Regarding claim 25, Kume discloses the invention substantially as claimed. Kume discloses *an a game task execution management method executable on a server with which a plurality of terminals are connectable via a network system* [see Kume, Col. 2, lines 16-26 and

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Col. 8, lines 13-25] *said method steps comprising the steps of: receiving and registering on a database of the server information which is sent from said terminals via the network in response to players' operations on the terminals, respectively, said information including plural items which the players want to register on the server [see Kume, Col. Figure 1, item 11]; receiving, from a terminal in response to a player's operation via the network, a request for team organization, said request including a specific item with which the player desire a to participate in a team for performing a common task in corporation with other players on a network game [see Kume, Col. 5, lines 48-56]; searching players registered in the data base including the specific item in the request and organizing a team of players having the common specific item or adding the player to a team of players having the common specific item and then online to the network [see Kume, Col. 2, lines 16-26]; sending control-information necessary for executing said common task to all of the terminals under control of the players organized as the team, so that all of the players of the team have the common control information for executing said common task on the respective terminals [see Kume, Col. 3, lines 21-33 and Col. 5, lines 48-56].* However, Kume does not explicitly disclose allowing the players of the team to execute said common task of the game on the respective terminals in corporation with each other while connected to the server via the network.

7. In the same field of endeavor, Collins discloses (e.g., a method and apparatus for real-time, online computer searching and matching of database entries based on location and user selectable search criteria). Collins discloses *allowing the players of the team to execute said common task of the game on the respective terminals in corporation with each other while*

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connected to the server via the network [see Collins, Abstract, Figure 3, Col. 2, lines 50-, Col. 3, lines 4, lines 50-65].

8. Accordingly it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Collins teachings of a method and apparatus for real-time, online computer searching and matching of database entries based on location and user selectable search criteria with the teachings of Kume, for the purpose of providing a less restrictive search criteria until at least one positive result (match) is found [see Collins, Col. 2, lines 37-47]

9. Regarding claim 26, Kume-Collins discloses wherein said certain item is an objective in said common task [see rejection of claim 25, *supra*]. By this rationale claim 26 is rejected.

10. Regarding claim 27, the limitations of this claim are substantially the same as that of claim 25 and thus are rejected for the same rationale in rejecting claim 25 above. Furthermore with regards to selecting the terminals of the participants among the participants registered with the item common to said specific item and organizing a game team with the selected participants [see Kume, Col. 3, lines 1-20, Col. 8, lines 13-25]; and transmitting to the terminals of the organized participants common control information so as to share information among the organized participants for carrying out the game for a common task in corporation [see Kume, Col. 3, lines 21-33, Col. 5, lines 48-56, and Col. 22, lines 1-8]. By this rationale claim 27 is rejected.

11. Regarding claim 28, the limitations of this claim are substantially the same as that of claim 25 and thus are rejected for the same rationale in rejecting claim 25 above. Furthermore, with regards to search means that searches on the database, upon receipt of a request for a game

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team organization with a specific item with which the participant wants to participate in a game team for executing a common game task from a terminal in response to the participant's operation through the network, participants registered with the item common to said certain item and then connecting their terminals to the network [see Kume, Col. 2, lines 16-26, Col. 8, lines 13-25].

12. Regarding claim 3, Kume-Collins discloses wherein the organized game team is already playing a game, said method further comprising the step of: transmitting common control information for stating a game program to be carried out on the terminals from an intervening stage of the program [see Kume, Col. 2, lines 27-45, Col. 3, lines 34-44, Col. 5, lines 3-6, Col. 9, line 60 thru Col. 10, line 8]. By this rationale claim 3 is rejected.

13. Regarding claim 8, Kume-Collins disclosed a server wherein said specific task is a task for starting a program to be carried out on said plurality of terminals from an intervening stage of the program [see Kume, Abstract, column 2.1 lines 16-45, column 4 line 1, column 5 line 6, column 16 lines 1-21, column 17 lines 8-22]. By this rationale claim 8 is rejected.

14. Regarding claim 10, Kume-Collins discloses an external memory means for storing personal information of a participant, when the terminal device is connected to the server, the personal information stored in the external memory means is uploaded to the server [see Kume column 21 lines 62-64]. By this rationale claim 10 is rejected.

15. Regarding claim 15, Kume and Collins combined discloses the steps of: transmitting personal information of the users of the terminal devices to the server; sharing information through the server among the rest terminal devices organized by the server; and cooperating with the rest terminal devices to carry out a specific task [see Kume, Abstract, Figures 1, 3-6, column

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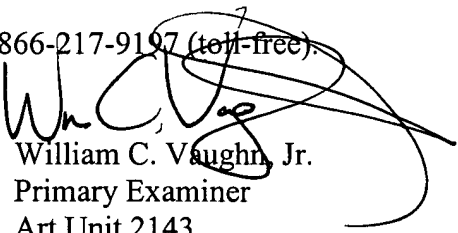
3 lines 21-44, column 5 line 1-column 5 line 6, column 9 lines 21-28], wherein the personal information includes a user purpose (goal) for the task and said transmitting step occurs in response to a user request that includes a desired purpose (goal), [Collins, Abstract, Figure 3, column 2 line 50-column 3 line 13, column 4 lines 50-65]. By this rationale claim 15 is rejected.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William C. Vaughn, Jr. whose telephone number is (571) 272-3922. The examiner can normally be reached on 8:00-6:00, 1st and 2nd Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



William C. Vaughn, Jr.
Primary Examiner
Art Unit 2143
27 October 2005

WCV